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July 22, 2015

By Hand Delivery and ECF

Hon. Richard M. Berman
United States District Court
500 Pearl St.
New York, NY 10007-1312

Re: *LightSquared Inc., et al., v. Deere & Co., et al.*, No. 13-CV-8157 (RMB) (JCF)

Dear Judge Berman:

On behalf of the LightSquared Plaintiffs and Defendant Trimble Navigation Limited (“Trimble”), I write regarding a potential path to settlement in this case. At the status conference on June 9th, the Court offered to assist the parties in their settlement efforts if Your Honor or Magistrate Judge Francis could “be of help,” and told the parties to “feel free to call on us if we can do anything.” Tr. at 11-12. Consistent with those requests, LightSquared and Trimble seek the Court’s assistance in advancing settlement discussions.

Based on recent exchanges, LightSquared and Trimble believe there is now an opportunity for the parties to have a constructive dialogue and to engage in a process aimed at a global resolution of the pending technical issues related to the use of LightSquared spectrum that gave rise to the present disputes—including this case and ongoing proceedings before the FCC and other government agencies. To facilitate settlement discussions and help the parties advance toward a final resolution, LightSquared and Trimble ask the Court to stay discovery for 45 days. During this period, LightSquared and Trimble would work cooperatively to engage

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constituencies and stakeholders to discuss ways to bring full closure to the disputes that prompted this lawsuit and their disagreements before the FCC. As the parties noted for the Court at the June 9 status conference, such global discussions are necessary because the resolution of this case is necessarily bound up with resolving the pending issues before the FCC. *See* 06/09/2015 Status Conference Tr. at 12. The parties therefore agree to engage in discussions that necessarily will address engineering issues such as receiver susceptibility to interference, network architecture and spectrum use, and will also discuss business concerns of all parties. A stay of discovery in the litigation would substantially aid that process because many of the key personnel necessary for productive technical discussions are also deeply involved in discovery, and freeing those individuals from their litigation responsibilities would enable them to focus their efforts on supporting resolution of the pending technical issues. Moreover, the litigation expenses for all parties are significant. In these circumstances, a 45-day stay is the best way “to secure the just, speedy, and inexpensive” resolution of this dispute. Fed. R. Civ. Pro. 1.

Of the four defendants in this case, Trimble wishes to engage in discussions and therefore joins in this request. Garmin and Deere have both stated that they are willing to engage in settlement discussions regarding the resolution of the disputed issues among the parties, but LightSquared does not know Garmin or Deere’s final position regarding a 45-day stay. The USGIC has not opposed a stay.

LightSquared and Trimble therefore urge the Court to stay the case for 45-days for the reasons identified in this joint letter. This request is without prejudice to the Court’s

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consideration of the letter requests of Deere and Garmin dated July 13, 2015 seeking to bring certain dispositive motions, and LightSquared's opposition to those requests dated July 20, 2015. If the Court requires the submission of a formal motion to stay, please consider this letter a request for a pre-motion conference as required by the Court's individual practices. If the Court would like to convene a telephonic status conference to discuss this request, LightSquared can be available this week or next week. We thank Your Honor for your consideration of this submission.

Sincerely,

/s/ *Eugene F. Assaf*

Eugene F. Assaf, P.C.

cc: All Counsel